

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

JAMES MALLON,

Plaintiff,

V.

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Defendant.

1:19-cv-954 (LMB/JFA)

ORDER

For the reasons stated in open court, it is hereby

ORDERED that defendant's Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) [Dkt. No. 23] be and is DENIED; and it is further

ORDERED that defendant's oral request to stay this action until the Fourth Circuit issues its decision in Fessler v. IBM, No. 18-2497, which has already been requested and denied once before, be and is DENIED.

The Clerk is directed to forward copies of this Order to counsel of record.

Entered this 24th day of January, 2020.

Alexandria, Virginia

Leonie M. Brinkema
United States District Judge